CHAPTER XII

FIRST TERM AS PRESIDENT

THE army under General Rusk left the camp at San Jacinto to follow the Mexican forces under Filisola, and see that they continued their retreat. After the victory of San Jacinto, companies which had been on their way joined the army, or gathered at the headquarters of the government at Velasco. Volunteer companies which had been raised in the United States came by sea and land. Felix Huston, a prominent lawyer of Mississippi, enlisted and equipped a force at his own expense. On the protest of the Mexican minister Gorostiza, the district attorney of Mississippi was instructed to arrest him, but reported that he was unable to do so in the condition of popular feeling. Huston brought in his force, which he claimed to be 500 men, but the adjutant-general of the army reported it as much less. On June 1, General Thomas Jefferson Green arrived at Velasco on the steamer Ocean, from New Orleans, with 250 men. The excitement and indignation at the agreement for the release of Santa Anna had been growing. Secretary Lamar had issued a letter, full of impassioned and inflated rhetoric, in which he called for his punishment "by the laws of Draco." When

the volunteers from New Orleans arrived the turbulence increased, and it was determined to prevent Santa Anna from sailing for Mexico. He had already gone on board the Texan schooner Invincible with his staff, and had addressed a farewell letter to the Texan soldiers, in which he thanked them for their kindness, and called them his friends. Vice-President Zavala and Bailey Hardiman, the Secretary of the Treasury, were to accompany him to Vera Cruz as commissioners to secure the ratification of the treaty. Captain Brown of the Invincible declared that he would not sail without orders from "the people." President Burnett, making a virtue of necessity, directed General Green to bring Santa Anna on shore, telling him that he would be held responsible for the life of the prisoner. Santa Anna was found in the cabin, and refused to obey. He was frantic from fear. "He lay on his back, and his respiration was difficult." He declared that he had taken opium, and would soon die. On a threat to put him in irons he got up and joined the party. He was put into the boat, and became still more alarmed at the sight of the crowd on shore. He was reassured, and advised to wave the Texan flag. He did so with trembling hands, and was landed at Quintana, on the opposite side of the bay from Velasco, where he was put under guard. Having recovered from his fear of immediate destruction, he addressed a fervent protest to President Burnett, complaining of the violence to which he had been subjected, and

of the breaking of the terms of the treaty agreement. Burnett replied, apologizing for the violation of the agreement, and saying that its fulfillment would have to be postponed for a season on account of "the highly excited popular indignation."

General Rusk was unable to control the turbulent and restless spirits in the army, which Houston had been able to keep in some measure of restraint. They attacked the government for its failure to supply the army with food and clothing, and inflamed the indignation of the soldiers at the proposed release of Santa Anna. On May 29, while the army was at Victoria, a violent and inflammatory address was drawn up, complaining of the necessities of the army, and holding the President responsible for them. It declared that the army would not permit the release of Santa Anna without the sanction of a Texan Congress, and demanded that the President should order an election within two months for the establishment of a new government. The address was simply a declaration of insubordination, and the assumption of supreme authority by the army. President Burnett replied that the Executive was not to blame for the wants of which the soldiers complained, as it was totally without means, and mildly informed them that when the civil government was compelled to receive the dictation of an armed force there was serious danger of its being subverted by military misrule. Subsequently he issued an address to the people and the army, arguing forcibly in favor of the advantages

of the treaty with Santa Anna, and the good effect which would be produced on the opinion of the world by sparing the life of the prisoner. President Burnett, however, had no authority beyond his eloquence, and the government of Texas was very nearly in a state of anarchy. The army and the people continued to clamor for the execution of Santa Anna, and there was no means either of enforcing order, or of collecting money.

There was a strong desire for immediate annexation to the United States, which would be an absolute protection against the power of Mexico. On the 20th of May, James Collingsworth and Peter W. Grayson were appointed commissioners to the United States, to ask for the mediation of that country between Texas and Mexico, and for the immediate recognition of Texan independence. They were also instructed to urge the government to accede to the wishes of the Texan people for annexation. The news of the victory of San Jacinto had caused great rejoicing in the United States. Public meetings were held in New York and other cities in favor of the recognition of the independence of Texas. On the 18th of June, Mr. Clay, from the Committee on Foreign Affairs, reported a resolution to recognize the independence of Texas, and supported it in an eloquent speech, but action upon it was postponed. Mr. Henry M. Morfitt was appointed a special commissioner to proceed to Texas and examine and report on its condition.

After a tedious voyage, Houston arrived at New Orleans on the 11th of May. His wound had not received proper attention, and was beginning to show signs of mortification. He was greatly reduced in strength, and lay on his cot on the deck as the vessel ascended the river. News of his approach was forwarded to the city when the Flora reached "English Turn," and the levee was lined with crowds to witness his arrival. He was taken to the house of his old friend, Colonel William Christy, who had served with him as a lieutenant during the Creek war, and who had been very energetic in raising money and volunteers for the assistance of the Texans. Houston was attended by Dr. James Kerr, who had been his physician twenty years before when suffering from the wound received at the battle of To-ho-pe-ka. His recovery was slow and painful. More than twenty pieces of bone were taken from the wound, and he was confined to his bed for several weeks. As soon as he was able to move, he went up the Red River by steamer to Natchitoches. He proceeded by slow stages to San Augustine, which he reached on the 5th of July. The rumor had arrived there that the Mexicans were advancing with another invading army. Houston, leaning on his crutches, delivered an address to the citizens, which resulted in the departure of 160 men for the army within two days. News was also soon afterward received that Colonels Millard and Wheelock had left the army, with an order to the government to deliver up Santa Anna for

immediate execution, and for the arrest of President Burnett. Houston at once sent a protest to General Rusk: —

AYISH BAYOU, *July* 26, 1836.

TO THE GENERAL COMMANDING THE ARMY OF TEXAS:

Sir, — I have just heard through a citizen of the army that it is the intention to remove General Santa Anna to the army, and place him upon his trial. I cannot credit this statement; it is obviously contrary to the true policy of Texas. The advantages which his capture presented to us will be destroyed. Disregard, if you will, our national character, and place what construction you please upon the rules of civilized warfare, we are compelled by every principle of humanity and morality to abstain from every act of passion or inconsideration that is unproductive of positive good. Execute Santa Anna, and what will be the fate of the Texans who are held prisoners by the Mexicans? What will be the condition of the North Americans residing within the limits of Mexico? Death to them and confiscation of their property is the least that can be expected. Doubtless torture will be added to the catastrophe, when stimulated by ignorance, fanaticism, and the last expiring struggle of the priesthood for power and dominion. Texas, to be respected, must be considerate, politic, and just in her actions. Santa Anna living, and secured beyond all danger of escape, in the eastern section of Texas (as I first sug-

gested), may be of incalculable advantage to Texas in her present situation. In cool blood to offer up the living to the manes of the departed only finds an example in the religion and warfare of the savages. Regard for one's departed friends should stimulate us in the hour of battle, and would excuse us in the moment of victory for partial excesses, at which our calmer feelings of humanity would relent.

The affairs of Texas, as connected with General Santa Anna as President of the Republic of Mexico, have become matter of consideration to which the attention of the United States has been called, and for Texas, at this moment, to proceed to extreme measures, as to the merits or demerits of General Santa Anna, would be treating that government with high disrespect, and I would respectfully add, in my opinion, it would be incurring the most unfortunate responsibility for Texas.

I, therefore, Commander-in-Chief of the army of the Republic, do solemnly protest against the trial, sentence, and execution of General Antonio Lopez de Santa Anna, President of the Republic of Mexico, until the relations in which we are to stand to the United States shall be ascertained.

SAM HOUSTON,
Commander-in-Chief of the Army.

The protest had its effect in calming the vindictive passions of the army, and in preventing the military trial and execution of Santa Anna. The Texan army

had been swelled to about 2500 men by volunteers from the colonists and from the United States, and was in a very undisciplined and disorganized condition. The ambitious adventurers all coveted immediate distinction and authority. "There were very few above the rank of captain who did not aspire to be commander-in-chief." The leaders cultivated popularity by the rough and ready methods of frontier politicians, and the camp was a good deal like a prolonged political barbecue. General Felix Huston, known among the soldiers as "Old Long Shanks" and "Old Leather Breeches," assumed authority, and conducted himself like the leader of a popular mob. Meanwhile, the Mexican troops had retreated from the territory of Texas. When the news of the defeat at San Jacinto reached the City of Mexico, Tornel, the Secretary of War, sent a dispatch to General Filisola to hold San Antonio, announcing that fresh preparations would be made for an army of invasion. But Filisola's army was already beyond the Nueces when the order reached him, and he continued his retreat toward Matamoras. He was superseded, and directed to turn the command over to General Urrea, who was already in Matamoras. Urrea commanded the army to halt, but its condition was such that the officers decided that it must reach a place of shelter and supply, or perish. It pushed on and reached Matamoras May 18. No reinforcements were sent by the Mexican government, and the chaos and confusion which resulted from the absence of Santa

Anna prevented any attempt for the renewal of the invasion of Texas. There being no enemy to fight within the limits of the territory schemes were renewed in the Texan army for the invasion of Mexico, and it was proposed to advance upon Matamoras. To add to the confusion and disorganization the government appointed Secretary Lamar to be commander-in-chief, in place of Houston, and he proceeded to the camp to assume the command. This produced great dissatisfaction. The officers protested against his claim. Lamar persisted in his right, and it was agreed to leave it to a vote of the soldiers as to whether they would receive Lamar as commander-in-chief or not. After the usual stump oratory the vote was taken, and, there being an overwhelming majority against Lamar, he retired.

The only thing accomplished by the Texan army during the period was the capture of three vessels in the harbor of Copano by a company of twenty mounted rangers under the command of Captain Isaac W. Burton. The company had been sent by General Rusk to see that no body of the enemy remained below Refugio. In the harbor of Copano they discovered a vessel, the Watchman, laden with supplies for the Mexican army. A portion of the crew were decoyed on shore. Their boat was seized, and the vessel boarded and captured by the rangers. While the Watchman was lying in the harbor, waiting for a favorable wind for Velasco, two other vessels, the Comanche and the Fanny Butler, came in.

The captain of the Watchman was compelled to signal to their commanders to come on board his vessel, where they were seized. The vessels surrendered to boarding parties, and the three were taken to Velasco. Their supplies were valued at $25,000, and were sent to the army. The rangers received the honorary title of the "Horse Marines" for their exploit.

Santa Anna was removed from Quintana to Velasco, and afterward to Columbia. While at Columbia a plot was formed to rescue him by the Mexican consul at New Orleans through the instrumentality of a young Spaniard named Bartholomew Pages. It was asserted that an attempt was made to poison the guard by means of wine. Santa Anna was put in irons, and subjected to other indignities. He was fired at by a drunken soldier through the window of the house where he was confined. Finally, he was removed to Orizamba and kept in close confinement. On the advice of Austin, who had returned from the United States and visited him, he addressed a letter to President Jackson asking him to interfere for his release, and professing a desire for the immediate recognition of the independence of Texas by the United States and Mexico. Meanwhile, the Congress of Mexico had passed a decree that all treaties and agreements executed by Santa Anna while he was a prisoner were null and void.

A proclamation was issued by President Burnett on the 23d of July for a general election, to be held on the 1st of September, for the choice of a President

and Congress to take the place of the provisional government. The question of an application for annexation to the United States was also submitted to the popular vote. Politics grew quickly and rankly in Texas. There were two parties, one in favor of Stephen F. Austin, and one, headed by the Whartons, in favor of ex-Governor Henry Smith. Houston was nominated by mass meetings at Columbia, San Augustine, and other places. He professed an unwillingness to be a candidate, but it is not probable that he was very strenuous in resisting the invitations. His prestige as the victor of San Jacinto and his gifts of personal popularity resulted in a triumphant election. He received 4374 votes, to 745 for Smith and 587 for Austin. Mirabeau B. Lamar was elected Vice-President, on the strength, Houston said, of an extra line in the latter's report of the battle of San Jacinto. The application for annexation to the United States was voted for with practical unanimity. The first Congress of Texas assembled at Columbia, October 3. The date for the inauguration of the new President was fixed for December 1, but President Burnett was desirous of escaping from his anomalous position of provisional and inefficient authority, and resigned to allow the permanent government to come into power. Houston was installed on October 22, and delivered an extemporaneous inaugural address. He urged the necessity of maintaining the army in a state of vigilance and discipline to meet any invasion of the enemy. He pointed out

the importance of establishing friendly relations with the Indian tribes, which could be secured by a course of even-handed justice. He expressed warm thanks to those who had aided the country in its struggle for independence, and he hoped that the United States would respond favorably to the appeal of a willing people for annexation. In concluding, he indulged in one of the histrionic effects of which he was fond. He disengaged his sword, and, after a pause and apparent struggle with his emotions, he handed it to the presiding officer, saying, "It now, sir, becomes my duty to make a presentation of this sword, the emblem of my past office. I have worn it with some humble pretentions in the defense of my country, and should the danger of my country again call for my services, I expect to resume it, and respond to that call, if needful, with my blood and my life."

Houston addressed himself with great practical sagacity to the duties of his office. He appointed the two competitors for the Presidency to places in his Cabinet. Austin was made Secretary of State, and Smith Secretary of the Treasury. Colonel William H. Wharton was appointed minister to the United States, and General Memucan Hunt was afterward added as a commissioner to urge annexation. Colonel J. Pinkney Henderson was appointed minister to Great Britain and France. The duties of the new government of Texas were heavy. It had to maintain an army to meet a possible invasion, to equip an adequate navy for the defense of the coast, to de-

fend the frontiers against the always turbulent and dangerous Indians, to provide for the administration of justice and all the functions of a civil government, without a dollar in the treasury or any adequate means available for taxation. Congress immediately passed an act authorizing the President to issue bonds to the amount of $5,000,000, payable in thirty years, and commissioners were appointed to go to the United States to attempt to negotiate the loan. Additional bounties were offered for volunteers, and the President was authorized to increase and reorganize the army. An act was passed for the increase of the navy by the purchase of a twenty-four-gun sloop-of-war, two steamers, and two eleven-gun schooners. The rates of duties on imports were fixed. The courts were organized, a land office and mail routes established. The boundaries of the Republic were decided to extend from the Sabine to the Rio Grande, and northward to the forty-second parallel of latitude, which would have included the greater portion of New Mexico. The boundary line of the province had been somewhat indefinite under the authority of Spain and Mexico, but its relative place between Texas and New Mexico was well understood, and there was no foundation for the claim to the forty-second parallel. Among the measures of Congress was one characteristic of the wild-cat schemes invented by adventurers and land speculators. An act was passed to incorporate the Texas Railroad, Navigation, and Banking Company, of which Branch T.

Archer was president. The company was given extraordinary and monopolistic powers. It was allowed to discount $30,000,000 upon a capital of $10,000,000, to build railroads and canals from the Sabine to the Rio Grande and regulate its own charges, to lay out town sites with extensive land grants, and in general to control the future business and development of Texas. For these enormous privileges, it agreed to pay a bonus of only $25,000 into the treasury. The scheme was a gigantic fraud and confidence game. The capital stock was subscribed, but none of the money was paid in. The fictitious shares were sold and traded as elements of a swindle. An attempt was made to bribe Houston by sending him a share of the stock, but he returned it, and vigorously opposed the bill. The charter, of course, was eventually forfeited by the failure of the subscribers to comply with its conditions. After a session of two months Congress adjourned, to meet May 1 at Houston, the newly founded city at the head of Buffalo Bayou, which was declared the capital.

One of the pressing questions was the disposition to be made of Santa Anna. When Houston arrived at Columbia, previous to his inauguration, Santa Anna sent a request for him to come and see him, and Houston did so. The prisoner was much affected. He embraced Houston, and wept as his head rested on Houston's broad chest. Houston patted him and consoled him as he would a frightened child. He procured Santa Anna some additional comforts,

and promised to do his utmost to secure his release. He sent a memorandum to Santa Anna, in which he suggested that he should communicate with President Jackson, expressing his willingness to favor the annexation of Texas to the United States, and to urge Jackson to become responsible for the fulfillment of Santa Anna's stipulations to the people of Texas. He advised him to maintain his authority as President of Mexico, although a prisoner, and to issue his instructions to the Mexican minister at Washington accordingly. After the inauguration, Santa Anna addressed a letter to the President petitioning for his release, which was referred to Congress. The members of Congress shared the prevailing indignation against Santa Anna, and passed a resolution that he should be retained as a prisoner. Houston vetoed the bill, and, after an excited debate, the question was left to the decision of the President. In the mean time, President Jackson had responded in kindly terms to Santa Anna's appeal for his mediation, and invited him to visit Washington on his release. Houston decided to release the prisoner at once, and send him to Washington with an escort. Santa Anna and his party set out for Washington on November 25, by way of New Orleans. He was entertained at dinner by President Jackson, and sent by an American man-of-war to Vera Cruz, where he arrived February 23, 1837. He found that he had fallen into complete disfavor, and retired to his estate at Mango del Clavo. His old rival Bustamente, hav-

ing been recalled from exile, was triumphantly chosen President at the ensuing election in March, Santa Anna receiving but two votes. It is an evidence of Santa Anna's inherent meanness of character that he borrowed $2000 from Colonel Bernard E. Bee, one of his escort, for which he gave a draft. On his return home he allowed the draft to be protested, and never paid the debt. His more honorable enemies did it for him; the legislature of Texas afterward made an appropriation to indemnify Colonel Bee.

The question of the recognition of the independence of Texas by the United States caused a good deal of political excitement in that country, and was the beginning of the prolonged and violent agitation which accompanied the project of annexation. While the majority of the people of the United States undoubtedly were proud of the courage of their kinsmen in Texas, and enthusiastic over the prospects of their independence, the shadow of the extension of the slave power, foreboded by annexation, alarmed the Northern politicians, and alienated a portion of the people. The stories against the character of the Texan colonists were revived, and the revolt was again attributed to a filibuster conspiracy. There were some prudent suggestions that the recognition of the independence of Texas would bring on a war with Mexico, but as a whole the opposition was generated by political means, and the majority of the people of the United States were really in favor of it. Commissioner Morfitt had returned, and made a fa-

vorable report as to the condition of Texas. He estimated the population of the country at about 58,000, of whom 30,000 were Americans or Europeans, 3670 Mexicans, 5000 negroes, and 20,000 Indians, exact figures being, of course, unobtainable in regard to the Indians. He described the colonists to be in a condition to maintain their independence, and pointed out that their character and habits enabled them to carry on a war with but little cost to themselves. He estimated the debts and obligations of Texas at about $1,250,000. President Jackson, notwithstanding his strong sympathies with the people of Texas, and his desire and expectation of the ultimate annexation of the territory, expressed himself in a very conservative manner in his communication to Congress. In transmitting the report of Commissioner Morfitt he said in regard to annexation, "Necessarily a work of time, and uncertain in itself, it is calculated to expose our conduct to misconstruction in the eyes of the world." On December 23, he sent a message to Congress in regard to the recognition of the independence of Texas, in which he said that "prudence would dictate that the United States should stand aloof until the independence of Texas had been recognized by Mexico, or one of the great foreign powers, or until events should have proved beyond dispute the ability of the people to maintain their independent sovereignty." He, however, referred the matter to the discretion of Congress, and intimated that he would be governed by its decision. On the 11th of January,

Hon. Robert J. Walker, Senator from Mississippi, introduced a resolution for the recognition of Texas as an independent nation. The question was postponed until March 1, when the resolution was taken up. After a warm debate, in which speeches in favor of recognition were made by Clay, Calhoun, Benton, Preston, and others, the resolution was adopted by a vote of twenty-four to nineteen. The vote was not on strict sectional or party lines, Senators King, of Georgia, and King, of Alabama, and other Southern members, voting against recognition. An attempt was made to reconsider the vote the next day, and it only failed by a vote of twenty-four to twenty-four. President Jackson approved the resolution as the last act of his official life. Secretary of State Forsyth informed Minister Wharton that the question of annexation could not then be considered by the United States government.

General Henderson, the Texan minister, was favorably received by the British government, although the Anti-Slavery Society promptly protested against the independence of Texas, on the ground that Mexico had declared the abolition of slavery, while the American colonists maintained it. The British ministry agreed to make a special commercial treaty with Texas, although for the time being it refused to recognize her independence from Mexico. A similar arrangement was made with the government of France, and the French minister at Washington was directed to send a commissioner to Texas to examine and report on the condition of the country.

In accordance with his settled policy Houston appointed commissioners to visit the various tribes of Indians, and arrange for treaties of friendship and alliance. No difficulty had occurred, except with the Caddoes, who had recently entered the territory from the United States, and had been committing some depredations upon the outlying settlers. Mexican agents had been busy among the Indian tribes, endeavoring to induce them to commence hostilities against the colonists. A delegation of twenty from the Northern Indians had been persuaded to visit Matamoras to form a treaty with Mexico for that purpose. But Houston's reputation was well established among all the Indians as the friendly white chief, and the efforts of the Mexican authorities to engage them in definite warfare with the colonists were unavailing. No trouble occurred from the Indians during his term as President, except the individual collisions and inevitable depredations and aggressions on both sides which accompany the contact of the two races. Although friendly to the Indians, Houston knew their unstable nature and the perils of the situation, and maintained companies of rangers to punish thefts and attacks, and encouraged the building of block-houses upon the frontier.

Congress reassembled on May 1, and Houston sent them an elaborate and business-like message. He congratulated them on the recognition of the independence of Texas by the United States, and said, "We now occupy the proud attitude of a sovereign

and independent Republic, which will force upon us the obligation of evincing to the world that we are worthy to be free." He urged that their legislation should be not only for present emergencies, but for a permanent system adapted to the future growth and development of the country. The finances of the Republic were the most pressing subject of attention. None of the authorized $5,000,000 loan had been raised in the United States, owing to the depressed condition of the money market; and the sales of the land scrip had not been productive, owing, as the President believed, to the mismanagement of the agents in New Orleans and Mobile, who had rendered no account of their transactions, and had allowed drafts upon them to go to protest. Claims upon the treasury had only been met by promises to pay when in funds, and were sold to speculators at a heavy discount. The land law, passed at the last session over the President's veto, had proved impracticable and unsatisfactory, and he recommended measures for ascertaining the location of all the occupied lands in the country to prevent litigation about titles. He spoke strongly in regard to the African slave trade. He declared that there was evidence that thousands of slaves had been imported to the island of Cuba for the purpose of being transferred to Texas. The Texan minister had been instructed to report the facts to the United States government. The navy of Texas was necessary for its immediate defense, and it was the duty of the United States and

of England to employ a portion of their force in the Gulf to arrest the accursed traffic. Nothing had occurred in regard to the question of annexation, but it was hoped that the next session of the Congress of the United States would take up the subject in a friendly spirit. England had given indications of friendliness and good-will to the new Republic. No change had taken place in the relations between Texas and Mexico. Texas was confident that she could maintain her rights, and was not willing to invoke the mediation of other powers. Mexico, while apparently determined to protract the war, was torn by internal convulsions, and unable to defend her frontier against the attacks of predatory Indians. The army of Texas was in a good condition, and able to meet any invading force brought against it. Although Mexico had refused to enter into any arrangement for the exchange of prisoners, he recommended the release, upon parole, of the Mexican soldiers still detained in the country.

Although Houston had spoken favorably of the condition of the Texan army, it was still disorganized and turbulent, and he took measures to reduce and practically disband it. General Felix Huston had succeeded to the command on the retirement of General Rusk, who had been appointed Secretary of War in Houston's Cabinet. He had no capacity or training as a soldier, and acted merely as the leader of an armed and turbulent mob. General James Hamilton, who had been governor of South Carolina,

and had manifested an active interest in the Texan struggle for independence, was invited to take command of the army, but declined. Albert Sidney Johnston, who had recently resigned from the United States army and come to Texas after the battle of San Jacinto, had joined Rusk's army as a private. His soldierly appearance and manifest ability caused him to be promoted to be adjutant-general, and, after the refusal of General Hamilton to accept the command, he was appointed by President Houston the senior brigadier-general. General Felix Huston had indicated his intention of retaining the command by the summary process of challenging and shooting any one who should be appointed to displace him. When Johnston arrived with his commission on the 4th of February, Huston promptly challenged him, and, in the duel which took place the following day, Johnston was severely wounded in the hip and incapacitated from further service. No one was found to accept the command at the cost of fighting so dangerous a duelist as Huston, and he retained his position at the head of the army. He was full of schemes for the invasion of Mexico, and at the opening of the session of Congress in May he repaired to the capitol to obtain authority for an attack upon Matamoras. Houston determined to put a stop to all such foolish enterprises, and to get rid of an army which was not only a heavy expense, but a peril to the maintenance of the civil government. Under the influence of their commander the volunteers had threatened to "chastise

the President, kick Congress out of doors, and give laws to Texas." Among General Huston's ideas of maintaining his popularity with the soldiers was to indulge them occasionally in general sprees, which usually wound up in a free fight in which several would be killed. The President was convinced that the unsettled government and internal troubles of Mexico would prevent any serious attempt at invasion, and that an impromptu levy of the colonists would make a better army, if necessary, than the undisciplined and dangerous force of foreign adventurers collected at San Antonio. While General Huston was urging the Matamoras expedition upon the members of Congress, the President, on May 18, issued orders to the Secretary of War to proceed secretly and swiftly to headquarters, and furlough all the companies except 600 men. There was no leader to resist the order, and the volunteers were apparently wearied of an adventure which promised neither profit nor glory. They were marched to various ports on the coast, and took their departure for the United States under a furlough to return within thirty days if called for. General Huston, deprived of his armed mob, returned soon afterward to the United States. General Johnston was retained in the command, with a furlough to enable him to recover from his wound. There is no doubt that, if the finances of the country had been able to sustain the expense, the maintenance of a well-organized and disciplined army would have been of advantage to

Texas, and prevented the occasional raids by the Mexicans which afterward took place. But the treasury was empty, and the army could only have been paid by the issue of irredeemable paper money, with its certainty of bringing bankruptcy and repudiation. The army was mainly composed of lawless and adventurous volunteers who were ready for any mischievous enterprise that would have driven Mexico into active hostilities. And the temperament of the Congress was neither stable nor judicious enough to make it sure that it would exercise a restraining influence. In the mean time, immigration was coming into the country, strengthening its resources and means of defense, and every day in which fighting could be avoided was an advantage. Already trade was being renewed along the Mexican frontier, in spite of the hostile attitudes of the two governments, and there was a chance that there would be no further war.

The condition of the land grants had made a great deal of trouble. The locations of the leagues and labors under the Mexican system had conflicted with the grants by acres under the new government, and many of the old settlers had resisted the change. The empresario grants, which had been used for speculative purposes, had created a host of fictitious claims, many of them held by innocent persons who had been swindled in buying the scrip. The acts of the last legislature of Coahuila and Texas in disposing of large portions of land in Texas at nominal

prices, although repudiated, had produced another batch of claims. The laws giving the preference in locations to volunteers, and the negotiations of public land scrip in the United States, created additional confusion. A large portion of the time of Congress was devoted to struggling with this question. Houston vetoed several unsatisfactory and mischievous bills, and it was not until the close of the last session that the land office was opened under intelligent and practicable regulations.

The total lack of money was the most serious burden upon the new government. The collapse of the banking system in the United States, and the consequent financial distress, had prevented any success in negotiating a general loan. The sales of public land scrip produced little or nothing, owing to the confusion of titles and the doubt as to whether Texas could maintain her independence. It would appear that Houston shared the general delusion in regard to the means to be expected from this source, and blamed the agents for mismanagement when there was really no demand for the lands which was not more than supplied by the sales and trades of individual grants. The treasury remained empty, and the audited claims were used as currency or hawked about at a ruinous discount. On June 6, the President was obliged to send a special message to Congress, calling attention to the condition of the quartermaster's department of the army. He said that the government was unable to obtain any supplies upon its own credit, and the

Executive had been compelled to give his individual obligation, indorsed by some of the members. A part of the army was in an actual state of mutiny for the want of provisions, and Galveston Island would have been deserted but for the relief thus obtained. Since he came into office the President had received only $500 for provisions for the troops. The public officers had received no salary, and had tendered their resignations from time to time on account of being unable to meet their expenses. Congress did the best it could by passing financial acts, but it was like trying to run a mill without water. There were the usual attempts of new and impoverished countries to create money by fiat legislation. In May, Congress passed an act authorizing the issue of promissory notes to the amount of $1,000,000. This was vetoed by the President, on the ground that half that amount was all that was necessary for a circulating medium or could be kept at par. The issue was restricted to $500,000, but a bill was passed authorizing the President to reissue the notes, as they were returned to the treasury, in his discretion, to an amount not to exceed $1,000,000. At the close of Houston's administration the promissory notes, which stood at about sixty-five cents on the dollar, amounted to $739,789. The total indebtedness, including audited claims, amounted to $1,942,000. The customs duties, which were the only source of reliable revenue, amounted to $278,134 for the last year. The record of Texan finance, under the circumstances, was a cred-

itable one, and it was Houston's firm hand and sagacious judgment, restraining extravagance and preventing false financial schemes, which kept down the indebtedness, and enabled the government to carry on its operations without collapse.

Among the events of the year was the loss of the Texan vessel the Independence, which was captured April 17, about thirty miles off Velasco, by two Mexican vessels, the Libertador and the Vinceedor del Alamo. After a severe fight of two hours, the Independence surrendered, and was taken to Matamoras. On board was Colonel William H. Wharton, the Texan minister to the United States, who was returning home. His brother, Colonel John A. Wharton, was sent with thirty Mexican prisoners, to obtain the release of the captives by exchange. He was thrown into prison by the Mexican authorities, but both the Whartons and the other prisoners eventually effected their escape by the aid of friends in Matamoras. The British vessel Ellen Russell was captured in the Gulf by a Texan vessel, on suspicion of being laden with contraband of war, but proved to have only merchandise. She was released by President Houston, and an indemnity afterward paid by the government.

Lorenzo de Zavala, who had been elected Vice-President in the Provisional Government of Texas, died at his residence near San Jacinto, November 15. Zavala was a man of strong patriotic impulses, and more than ordinary capacity and integrity, who, un-

der better circumstances, would have exercised a commanding and wholesome influence on the affairs of Mexico. He would not submit to the tyranny of Santa Anna, and fled to Texas, where he entered heartily into the struggle for independence. Although a Mexican, he was highly esteemed by the Texan leaders for his integrity and sincerity, as well as for his courage and sagacity. Stephen F. Austin died at Columbia, December 27, from an attack of pneumonia. He was but forty-three years of age. Austin was a man of the highest character, of judicial moderation and prudence, as well as energy and perseverance. He appreciated the conditions on which alone a permanent and prosperous colony could be founded, and carried them out with rare tact and sagacity. He encouraged industry, and governed the lawless elements of the population by his weight of character and personal influence. To him more than to any other is due the creation of an American State in Texas. He was forced into political prominence by the demands of the time rather than any desire of his own, and was as modest and self-sacrificing as he was sagacious and practical. Public honors were paid at his funeral by the President and members of Congress, and the remains were taken on the steamer Yellowstone to Peach Point, near the mouth of the Brazos. President Houston issued an address beginning, "The Father of Texas is no more," and ordering all officers, civil and military, to wear crape for thirty days, in honor of his memory.

Houston's manner of life as President of the Republic of Texas was a singular compound of ceremonial dignity and frontier primitiveness, much like that of an aboriginal potentate. He lived in a log cabin in the frank and ready familiarity with all comers which the times compelled, and which suited his genius for popularity. But he put on the airs of state on occasion, and is reported to have worn a sort of velvet robe, which must have been in singular contrast to the furniture and appearance of the audience chamber, when he gave formal audience to the agents of foreign nations. He still kept up his drinking habits, and was king of the riots, as well as of the counsels, of his vigorous and boisterous associates, without losing his sense of dignity or their respect. An interesting glimpse of Houston and his surroundings is given through the keenly observant eyes of Audubon, the naturalist, who visited the town of Houston in May, 1837. He says in his diary: —

"We walked toward the President's house, accompanied by the Secretary of the Navy, and as soon as we rose above the bank we saw before us a level of far-extending prairie, destitute of timber and rather poor soil. Houses, half finished, and most of them without roofs, tents, and a liberty pole, with the capitol, were all exhibited to our view at once. We approached the President's mansion, however, wading in water above our ankles. This abode of President Houston is a small log house, consisting of two rooms and a passage through, after the Southern

fashion. The moment we stepped over the threshold, on the right hand of the passage, we found ourselves ushered into what in other countries would be called the ante-chamber; the ground floor, however, was muddy and filthy, a large fire was burning, and a small table, covered with paper and writing materials, was in the centre; camp beds, trunks, and different materials were strewed around the room. We were at once presented to several members of the Cabinet, some of whom bore the stamp of men of intellectual ability, simple, though bold, in their general appearance. Here we were presented to Mr. Crawford, an agent of the British minister to Mexico, who has come here on some secret mission.

"The President was engaged in the opposite room on some national business, and we could not see him for some time. Meanwhile, we amused ourselves by walking in the capitol, which was yet without a roof, and the floors, benches, and tables of both houses of Congress were as well saturated with water as our clothes had been in the morning. Being invited by one of the great men of the place to enter a booth to take a drink of grog with him, we did so; but I was rather surprised that he offered his name instead of the cash to the bar-keeper.

"We first caught sight of President Houston as he walked from one of the grog-shops, where he had been to stop the sale of ardent spirits. He was on his way to his house, and wore a large, gray, coarse hat, and the bulk of his figure reminded me of the

appearance of General Hopkins, of Virginia, for, like him, he is upward of six feet high and strong in proportion. But I observed a scowl in the expression of his eyes that was forbidding and disagreeable. We reached his abode before him, but he soon came, and we were presented to his Excellency. He was dressed in a fancy velvet coat and trousers trimmed with broad gold lace, and around his neck was tied a cravat somewhat in the style of '76. He received us kindly, was desirous of retaining us for a while, and offered us every facility in his power. He at once removed us from the ante-room to his private chamber, which, by the way, was not much cleaner than the former. We were severally introduced by him to the different members of his Cabinet and Staff, and at once asked to drink grog with him, which we did, wishing success to the new Republic. Our talk was short, but the impression which was made on our mind at the time by himself, his officers, and the place of his abode can never be forgotten."

Houston was married for the second time in Marion, Alabama, May 9, 1840, to Miss Margaret Moffette Lea. He was then forty-seven years of age, his bride twenty-one. The second Mrs. Houston was a lady of good family, force of character, amiability, and considerable literary talent. She was aware of Houston's weaknesses in habits when she married him, and was confident that she could influence him for the better. She did so, and he reformed his habits of drinking and swearing, until finally they were abandoned altogether.